

JUDGE PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) Case No. CR04-301P

Plaintiff,)

v.)

THOMAS EDWARD SUMMERS,)

Defendant.)

ORDER
CONTINUING TRIAL DATE
AND DEADLINE FOR FILING
OF PRETRIAL MOTIONS

ORDER

THE COURT has the parties' Stipulation to Continue Trial Date concerning a continuance of the trial date. The parties agree and

the Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii), and taking into account defense counsel's unavailability until mid-December 2005;

and that a failure to grant the continuance would deny the defendant continuity of counsel, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv);

and the Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to ensure effective pretrial and trial preparation, and that these factors outweigh the best interests of the public and the defendant in speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

1 The Court finds that the period of time from the current trial date of
2 November 7, 2005 until the new trial date of January 9, 2006, shall be excludable time
3 pursuant to the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

4 IT IS THEREFORE ORDERED, that the trial in this matter is continued until
5 January 9, 2006. Pretrial motions are due by December 1, 2005.

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7 DATED this 27th day of October, 2005.

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10 /S/Marsha J. Pechman
11 THE HONORABLE MARSHA J. PECHMAN
12 UNITED STATES DISTRICT JUDGE
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